

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 77-112

NPDES PERMIT NO. CA0037699

ENFORCEMENT ORDER FOR ISSUANCE OF A TIME SCHEDULE

ORDER DIRECTING THE VALLEJO SANITATION AND FLOOD CONTROL DISTRICT, VALLEJO, SOLANO COUNTY, TO COMPLY WITH REQUIREMENTS PRESCRIBED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION, IN ORDER NO. 74-86 (NPDES PERMIT NO. CA0037699) AS AMENDED BY ORDER NO. 75-78

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter Board), finds that:

1. This Board on August 20, 1974, adopted Order No. 74-86 prescribing waste discharge requirements including a compliance time schedule for the Vallejo Sanitation and Flood Control District (hereinafter discharger) in accordance with statutory requirements of the Federal Water Pollution Control Act (FWPCA) and the California Water Code. On November 18, 1975, the Board adopted Order No. 75-78 amending Order No. 74-86. The amended permit contains a compliance date of February 1, 1977, for achieving secondary effluent limitations as required by the FWPCA.
2. The discharger has submitted evidence which documents that the amended compliance time schedule cannot be met. Delays beyond the discharger's control have resulted from unexpected construction problems, late delivery of equipment, and start-up problems.
3. The discharger has submitted a time schedule by which he can achieve the requirements contained in amended Order No. 74-86.
4. The Board has notified the discharger and interested agencies and persons of its intent to adopt a time schedule for compliance.
5. The Board in a public meeting heard and considered all comments pertaining to this discharger's ability to achieve compliance.

IT IS HEREBY ORDERED, that in accordance with Water Code Section 13300, the Vallejo Sanitation and Flood Control District shall comply with Effluent Limitations A.1., A.3., A.6., and Receiving Water Limitation B.2.e. of amended Order No. 74-86 according to the following time schedule:

1. Compliance with Effluent Limitations A.1., A.3., and A.6.:

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Due</u>
Complete all construction necessary for compliance	January 1, 1978	January 15, 1978
Full Compliance		

2. Compliance with Receiving Water Limitation B.2.e.:

<u>Task</u>	<u>Report of Compliance Due</u>
Submit report documenting compliance under all receiving water conditions for both existing and design flow values. If non-compliance is reported, submit analysis of frequency of violation and time schedule for achieving compliance	July 1, 1978

3. This Order expires August 1, 1978.

This Board declares that it shall not undertake further enforcement action to bring the discharger into compliance with secondary effluent limitations by July 1, 1977, as contained in amended Order No. 74-86 provided:

- a. The discharger complies fully with all terms of the time schedule contained in this Order;
- b. The discharger complies fully with all terms of the permit with the exception of the provisions A.1., A.3., A.6., and B.2.e.
- c. Circumstances do not occur which would warrant modification of the permit or time schedule; and
- d. Circumstances do not occur which would warrant an action under Section 504 of the Federal Water Pollution Control Act.

The action taken by this Board pertaining to the time schedule does not preclude the possibility of actions to enforce the permit by third parties pursuant to Section 505 of the Federal Water Pollution Control Act.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on September 20, 1977.

FRED H. DIERKER
Executive Officer